

CASE NO. 17-7039  
consolidated with CASE NO. 17-7035

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA**

AMERICAN EDUCATIONAL  
RESEARCH ASSOCIATION, INC.,

AMERICAN PSYCHOLOGICAL  
ASSOCIATION, INC.; and

NATIONAL COUNCIL ON  
MEASUREMENT IN  
EDUCATION, INC.,

Plaintiffs/Appellees,

v.

PUBLIC RESOURCE.ORG, INC.,

Defendant  
/Appellant.

Case No. 17-7039

On Appeal from the United States  
District Court for the District of  
Columbia (No. 14-cv-857)

**APPELLEE’S CERTIFICATE AS TO PARTIES, RULINGS, AND  
RELATED CASES**

Pursuant to this Court’s March 7, 2017 Order, Appellees American Educational Research Association, Inc., American Psychological Association, Inc., and National Council on Measurement in Education, Inc., by and through their attorneys, certify as follows:

**A. Parties**

Appellant: Public.Resource.Org, Inc.

Appellees: American Educational Research Association, Inc., American Psychological Association, Inc., and National Council on Measurement in Education, Inc.

Amici: As currently known to Appellees, the identity of a party that may file an *amicus* brief in this action is the American Medical Association.

**B. Rulings Under Review**

Appellants seek review of the District Court's Memorandum Opinion and Order Granting Plaintiff's Motion for Summary Judgment and Denying Defendant's Cross-Motion for Summary Judgment ("Order"), both dated February 2, 2017 (Dkt. No. 117 and 118 in Case 1:14-cv-00857 TSC). In addition, Appellant has indicated that it may seek review of the District Court's Order Denying Defendant-Appellant's Motion to Strike the Expert Report of Dr. Kurt Geisinger (Dkt. No. 115 in Case 1:14-cv-00857) dated September 21, 2016.

### C. Related Cases

This case has not previously been before this Court. This case has been consolidated with the lead Case No. 17-7035, *American Society for Testing and Materials et al. v. Public.Resource.Org, Inc.*

Dated: April 6, 2017

Respectfully Submitted,

/s/ John I. Stewart, Jr.

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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 6<sup>th</sup> day of April, 2017, a true and correct copy of Appellees' Certificate as to Parties, Rulings, and Related Cases was electronically filed through the CM / ECF system, which caused all parties to be served by electronic means, as more fully reflected in the Notice of Docket Activity.

Service was also accomplished by electronic mail on parties set forth below.

/s/ Michael J. Songer for John I. Stewart, Jr.

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